



U.S. Department of Justice

United States Attorney  
Southern District of New York

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The Silvia J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

June 16, 2008

*Ms Sharkey is directed  
to fax a response by  
noon June 19.  
SO ORDERED  
[Signature]*

## MEMO ENDORSED

The Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, New York 10007

Re: United States v. Jahlil Brown,  
S24 04 Cr. 801 (PKC)

Dear Judge Castel:

The Government writes to seek clarification concerning the suppression hearing scheduled for June 26, 2008 at 10 a.m., specifically that the hearing will be limited to the issue of the voluntariness of the defendant's statements to law enforcement. The Government had previously consented to the hearing on solely this issue in the Government's response in opposition to the defendant's pre-trial motions, submitted by Assistant United States Attorney Katherine A. Lemire on March 26, 2008.

However, the Government's position was also that no hearing was warranted concerning other issues, namely the probable cause for the defendant's arrest during the execution of a search warrant, the legality of the search warrant at the apartment where the defendant was arrested, and the propriety of the seizure of evidence pursuant to this search warrant. The Government's position remains that these issues should be denied without a hearing based upon arguments set forth in the motion papers.

Respectfully submitted,

MICHAEL J. GARCIA  
UNITED STATES ATTORNEY

By: [Signature]  
Steve C. Lee  
Assistant United States Attorney  
(212) 637-2413

cc: Kelley J. Sharkey, Esq.